

Town Council Meeting Minutes
February 09, 2009
6:30 pm - Trinity United Methodist Church

Rebecca Mann
Lee Collins
Robert Miller
Frank Hill, Mayor
Rich Taylor
Ron Francis
Keith Baynes, Town Attorney
Sharon Weygand, Town Administrator
Valerie Walls, Clerk/Treasurer

List of attendees in Minutes Book

Mayor Hill brought the meeting to order at 6:30pm followed by the Pledge of Allegiance.

I. Approval of minutes from January 12, 2009 meeting

Lee Collins made a motion to accept the minutes from the January 12, 2009 meeting.
Ron Francis 2nd.

Vote: **Aye - 5**
 Nay – 0

II. ANNOUNCEMENTS

Frank Vari: Recycling in front of the Old Town Hall on Saturday from 7a-11a.

Dean Geracimos: Wednesday at 6:30p in Town Hall. Presentation on Smart Growth of Chesapeake City and his game plan for the future.

Frank Hill: On the back table is a notice from the Fire Company with upcoming events.

Ron Francis: Town Patches on sale at Town Hall for \$5.

III. Commissioners' Reports

i. Ron Francis

Public Works
Parks & Recreation Committee

ii. Rebecca Mann

Public Safety
Charter
Ethics

iii. Bob Miller

Water/Sewer Status
Water/Sewer Committee
MES Report-Jerry Wheeler

iv. Rich Taylor

P&Z Commission
Historic Commission
Parking Committee

v. Lee Collins

Financial
Financial Reports – FY07/08-Jim Baxter

IV. Office Reports

- i. Valerie Walls Clerk/Treasurer
- ii. Sharon Weygand Town Administrator
- iii. Frank Hill Mayor

- V. **Noise** – The Mayor thanked the Council for the time being put into this issue and the residents that have called and sent emails. The Council is trying to find a meeting of the middle, a sort of compromise. It's not only money, but a quality of life issue. The current ordinance has two days of music until 11pm, 2 days of quiet time and 3 days with music until 9 pm during the work week. There is a drop of 2 decibels late night and 2 decibels during the evening music. Open discussion for Council, the Mayor prefers no public debate from the floor. Ron Francis distributed Keith's draft to Council and with four or five changes and felt some of Council was pleased with them, though Keith would like time to review them. The Town Attorney has requested time to review the changes that he received at 4:30 pm this afternoon. Keith's version came from Maryland law and wants to review so that the changes do not create more problems. Rebecca Mann urges council to be prepared to vote at the March meeting.

Ron Francis made a motion to delay for one month for the Town Attorney to review the changes presented; any changes will have to be presented at the workshop two weeks from tonight. Lee Collins 2nd.

Vote: **Aye - 5**
 Nay – 0

Bob Miller made a motion to adopt a fee of \$1,200.00 per year for the music permit as it is now written, to cover the cost of hiring a Maryland State recognized and certified noise enforcement officer. Rich Taylor 2nd to open the discussion.

Vote: **Aye - 2**
 Nay – 3

VI. Old Business

- a. Water Capacity Management Plan- Chris Rogers from URS and Town Administrator are working on it. It should be done within two weeks.
- b. Update on Old Town Hall – Open house dates have been set for mid March by invitation only. There are about 23 people still interested. Questions regarding property, needed to be surveyed.
- c. Update on 5K Run scheduled for Canal Day-8am starting on the North side. Will use the firehouse for parking. It is a rain or shine event. Sponsors cover the upfront costs for tee shirts, advertising, certificates and awards. The Army Corps of Engineers will have the pot holes filled by race day.

Ron Francis made a motion to move ahead on the 5K run as a Town sponsored event, contingent on the insurance coverage. Lee Collins 2nd.

Vote: **Aye - 5**
 Nay – 0

- d. Annexing the 6.28 acres from the Corps – moved to workshop in February.

VII. New Business

- a. Parking Resolution-Rich Taylor meeting with Mary Ellen in Town Hall to draft a resolution and to forward it to Town Attorney to discuss at the workshop in February and vote on in March. If everything goes according to plan, new rate information will be placed in the April water bills.
- b. Recommendation from Water & Sewer Committee- Artesian Water has been recommended by the committee from the bid process from the five proposals, along with their alternate proposal in which Artesian Water would run a 12" main into the North side of town and connect North and South water systems via the conduits under the canal, supplying water to both sides of the town at the current bulk rate of \$3.61 per 1000 gallon; (fee the town will be paying).
Artesian has been recommended to do water and sewer operations and provided negotiations go well, to supply the other water. The timeline for the water line into Town is that it can be hooked up from the state line in Delaware within 6-9 months. Flushing the line for the first couple of weeks and it will improve our water greatly. Ultimately our water will be supplied from Pennsylvania. We will be mothballing our systems (treatment part of it), the distribution part we will still be using.

Ron Francis made a motion we accept Artesian proposal for the operations of both water and sewer plants and to continue the negotiations for them to supply us with their water; along with the option to negotiate the price of operations. Bob Miller 2nd.

Vote: **Aye - 5**
 Nay - 0

- c. Introducing the Resolution for Water & Sewer Rate Increase.
The increase will generate approximately \$20,000 for next year. There will be a Public Hearing at the Workshop on the 27th regarding the rate increase.
- d. Maryland Historical Trust – to include Budget Amendment for the General Fund
To qualify for the grant, we need to move \$2500 from line item Other Income for specific use of Town Hall. We would be creating a sub-account and not changing the bottom line.
Lee Collins made a motion for a new line item to create \$2500 in a line item for Town Hall repairs, moving income from account number 2650 to 2651. Bob Miller 2nd.

Vote: **Aye - 5**
 Nay - 0

VIII. Action Items

- a. Board of Elections – Reappoint & Appoint
Rebecca Mann made a motion to reappoint Jeffra Moore and Barb Wilkers to the Board of Elections for two years. Lee Collins 2nd.

Vote: **Aye - 5**
 Nay - 0

Bob Miller made a motion to nominate Elaine Sheppard to the Board of Elections, replacing Flo Craig. Lee Collins 2nd.

Vote: **Aye - 5**
 Nay - 0

- b. Board of Appeals – (1) Alternate
Need one alternate. Doris Gribble is dropping off because of being an employee of the Town. The position has been discussed with Bill Wilkers.
Ron Francis made a motion to nominate Bill Wilkers to the Board of Appeals.
Rich Taylor 2nd.

Vote: **Aye - 4**
 Nay – 0
 Rebecca Mann recused herself because of having a current case in the Board of Appeals process.

IX. Public Comment (not verbatim)

Stephanie Palko: Are you working with businesses with signed contracts in regards to the noise ordinance?

Frank Hill: We would work with the businesses.

GianMarco Martuscelli: Has contracts for Monday through Thursday evening until 10pm. Once he signs contracts he has to pay for four hours (even if they only play for 3).

Natalie Gentry: The April wedding has a music permit in place with a DJ.

GianMarco: If it goes to referendum, when does it go into effect?

Frank Hill: We need something in place by summer.

Harriett Davis: What about the 25 weddings booked in Pell Gardens and the Arts Council?

Frank Hill: I spoke with the Arts Council last week and we will work with them to keep Music in the Park.

Natalie Gentry: Parking under the bridge needs sprucing up, more inviting.

Rich Taylor: Will include this with his meeting with Heather from WILMAPCO.

Dean Geracimos: Please remember Wednesday evening?

BJ: When will the proposed changes be public record?

Sharon Weygand: Will we have next work session here?

Lee Collins made a motion to adjourn the meeting at 8:50pm. Rebecca Mann 2nd.

Vote: **Aye - 5**
 Nay – 0

Submitted by: 
Valerie Walls, Clerk/Treasurer

Approved by: 
Frank Hill, Mayor